

REMARKS

The Office Action dated December 9, 2003 has been received and carefully noted. The above amendments and following remarks are submitted as a full and complete response thereto.

Claims 1-8 are pending. Claims 1 and 4 are rejected.

By this Amendment, claim 1 is canceled, claims 2, 4, 5 and 8 are amended, and claims 18-21 are added. No new matter is added, and the claims are supported throughout the Specification.

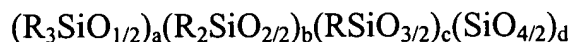
Claim 4 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Additionally, claims 1-8 were objected to for informalities. Claims 2, 4 and 5 are amended to obviate this rejection and objection. Reconsideration and withdrawal of the objection and the indefiniteness rejection are therefore requested. As indicated in the Office Action, Applicants respectfully note that independent claims 4 and 5 and dependent claims 6-8 should now be in a condition for allowance.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,708,098 to Cook ("Cook").

Applicants note that numeral 9 of the Office Action asserts that claims 2-3 and 6-8 would be allowable if rewritten "to include all of the limitations of the base claim and any intervening claims." Applicants have canceled claim 1 and have amended claim 2 to include the limitations of claim 1. Accordingly, Applicants submit that the anticipation rejection of claim 1 is now moot. Applicants therefore request reconsideration and withdrawal of the anticipation rejection.

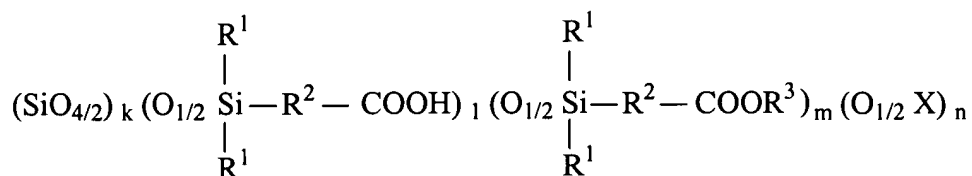
With respect to new claims 18-21, Applicants submit that Cook neither teaches nor suggests the subject matter of claims 18-21. Applicants therefore submit that claims 18-21 should be allowable.

Applicants note that Cook discloses an organosilicone resin of empirical formula:



wherein $a+b+c+d = 1$ and $0 \leq (b+c) \leq 0.2$. R is a monovalent radical independently selected from a group consisting of hydrogen, hydroxyl, alkyl, alkenyl, alkoxy, oximo, aryl, epoxide, carboxyl, ether, polyether, amide, and alkyl amino radicals. Additionally, the R groups may be the same or different provided that at least sixty mole percent of the R groups are methyl. The organosilicone resin has an average molecular weight between about 2,000 and about 15,000.

The invention of present claims 18-21 is directed to a silicon-containing polymer comprising the structure represented by formula 1 below as a main structural unit:



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Applicants note that the terms l, m, n, and k in formula 1 of claim 18 correspond to the terms a, b, c, and d, respectively, as disclosed in Cook. Accordingly, applicants note that the organosilicone resin disclosed in Cook would only overlap the silicon-containing polymers according to former claim 1, when $b = 0$; $c = 0.2$, $a+d = 0.8$, the R in the $(RSiO_{3/2})_c$ unit is methyl; and two of the R in $(R_3SiO_{1/2})_a$ are methyl and the

remaining R is carboxyl. These parameters in Cook correspond to $m = 0$; $n = 2$; $l+k = 8$; $l = 7$; $k = 1$; X in the $(O_{1/2}X)_n$ unit is organosilyl; R^1 are monovalent organic groups; and R^2 is a bond in the $(O_{1/2}Si(R^1)_2R^2-COOH)_l$ unit in claim 18.

However, based on the inequalities recited in claim 18, m **cannot** equal 0. Accordingly, when $b > 0$ in Cook (i.e., $m > 0$ in the present invention), the organosilicone resin in Cook is not equivalent to the silicon-containing polymer recited in claim 18. Applicants therefore submit that Cook does not anticipate claims 18-21.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 2-8 and 18-21, and the prompt issuance of a Notice of Allowability are respectfully solicited.


If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together

with any additional fees that may be due with respect to this paper, may be charged to
counsel's Deposit Account No. 01-2300, **referencing docket number 100021-00065.**

Respectfully submitted,

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Enclosure: Petition for Extension of Time (one month)